

HIS MAJESTIES
DECLARATION

To all His loving Subjects,

IN ANSWER

TO A DECLARATION
of the LORDS and COMMONS
upon the proceedings of the late
TREATY OF PEACE AND
severall Intercepted Letters, of
His MAJESTY to the QUEENE,
and of PRINCE RUPERT to
the Earle of NORTH-
HAMPTON.

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His Maiesties Declaration to all His loving Subiects, in answer to a Declara- tion of the Lords and Commons upon the proceedings of the late Treaty of Peace, &c.

THough his Maiesty bee assured, it cannot but be of great Advantage to Him to have such an Occasion as is now given Him by the late Declaration of both Houses, to shew to all His good people who it is that is really in fault, that the last Treaty so much desired by His Maiesty, and onely begun upon his Desire, broke off so abruptly (as He doubts not to doe, if those, who governe in the remaining part of both Houses, have but so much ingenuity left, as suffer what he saies to be equally freely publisht to His people;) yet His Maiesty cannot without great griefe of Soule see that Treaty, which He hoped and expected should have begot the settled Peace and Happinesse of His Subiects, in stead thereof beget nothing but Disputes and Declarations; yet it will be some Cordiall to Him, when He shall be forced to see the Desolation of this Kingdome, and the Misery of His People, That not only it is not He that hath made that Desolate and them Miserable, but that He is able to demonstrate to all the World, That Hee hath used His utmost and most earnest endeavours to prevent it, as will appeare at large by the following state of the Case,

After that the Conspiracy of some Persons, against the present established Government both Ecclesiasticall and Civill, had made meanes to insule into part of the People (by publishing unheard of Declarations, obtain'd and past in a new & unheard of manner, sometimes but by eleven voyces after severenteene houres sitting, and that but in one House) strange Feares and Icalousies of the other House, and of His Maiesty, and by them given the Rile to those insufferable Tumults, and seditious unparliamentary Petitions at once to and against the Lords, which they afterwards avowed publiquely to protect and encourage, and forced the Lord's H use, by fearing them, to seeme to feare with them, and to joine with them first in requiring, and next in forcing no lesse security for those feares from His Maiesty (who was then in condition to have most reall Cause of feare himselfe) then almost all that power which the Law had trusted to Him for the security of the Crowne and the Protection of His People; After that His Maiesty and most of the Members were forced away from the Parliament, and that his share in making new Lawes was deuyed to Him in any case in which they would pretend necessity, and every Subiect that would not submit to any new extravagant, extemporary, legislative Declaration, or Order of one or both Houses against the ancient known Law of the Land, was become

sent for up, and imprisoned as a Delinquent, and whosoever would assist them, against the knowne Law was not only protected by them in that, but in any other Case (although they were of them who had been most apparently active in those former Pressures upon the People, which they now a fresh impute to His Maiesty) so that to be of their side was now become a knowne Sanctuary; After that nothing was left undone or unsaid that might render His Maiesty both weak and odious, and that all that He could say or doe, to cleere Himselfe, was either suppressed or interpreted in a contrary and impossible sense (so that His very offer to venture His Royall Person against the Irish Rebels was vored to bee an encouragement to that Rebellion;) After that from declaring of Law, they came to declaring of Thoughts, and forgetting that the Hearts of Kings are inscrutable, presumed to dive into His, and without Apparence, and contrary to Truth had declared; That Hee meant to make Warre upon His Parliament, and made that Declaration a ground to leavy a reall Warre against Him, and then made that Warre a ground to beginne to make Warre upon His People, forcing away the Armes and Mony of all such as they pleased to suspect of the Crimes of Allegiance and Loyalty; After that they had so farre exprest and discovered the true end of all these Actions, as to propose the totall Change of the present Government, both Ecclesiasticall and Civill in the nineene Propositions as the onely way to Peace, and that His Maiesty might by all this have bene sufficiently perswaded, That it was impossible for Him to obtaine Peace from them but either by submission, or by the Sword; yet after all this His Maiesty was so averse to the latter Course as to descend to so great a Degree of the former as from Nottingham to propose to and desire from them a Treaty for Peace, and being there twice openly & absolutely refused it, yet did then declare, that he would notwithstanding be ready to receive it whensoever they would propose it: And to shew, that these Offers proceeded not from His Condition but His Inclination, after His victory at Edgehill, and after that the Earle of Essex had so farre forgot his Enand, as to returne to London alone, in stead of bringing up his Maiesty, and those his good Subiects, whom they call Delinquents, His Answer at Colebrooke will shew to all the World, that he was still of the same mind as when He sent his Messages from Nottingham, and his message so carefully sent from Colebrooke to prevent all misconstruction of that march of His, which they had necessitated to Braineisford, and his pressing still that a Treaty might goe on in that and severall other messages, all slighted and neglected, shewed sufficiently who really was desirous of, and who were averse to Peace. But when the Petition of so many Cittizens, That a Treaty might be accepted, finding so little countenance or acceptance from the House of Commons, and the Injuries and Imprisonments which the Petitioners suffered for it from Alderman Pennington and others

others, finding so much countenance from them, did so far begin to open the Eyes of the People, That the Aversion to Peace began to be imputed to them who were truly guilty, and that they found this Discovery made men generally unwilling to part with their money to make themselves miserable, and that againe encourigd many of the Members to appeare for Peace too, and that consequently their too open and avowed Desire of Warre would but render them unable to continue it, they thought it necessary to make some Propositions which might deceive the People so farre as to make them believe they desired Peace, and yet resolved to make them so unreasonable, as they might notwithstanding be sure to bee out of all danger of effecting Peace by them, and sent those downe to His Maiesty. Which though they pretend now to be such as no indifferent man will find any thing contained in them but what was necessary for the maintenance and advancement of the true Protestant Religion, the due execution of Iustice, the Preservation of the Liberty and Property of the Subject, and the establishment of the Kingdomes Peace and Safety; yet His Maiesty is confident that even those who are not very indifferent are yet able to see, that no Propositions could be more unreasonable then those fourteene, except the former Nineteene.

To passe by the Preamble, (in which most unnecessarily they lay most heavy and most uniuersall charges upon his Maiesty, and yet draw an Argument of his Aversion to Peace, from those knowne Truths, which either his defence or the matter in question, crimes being impossible to be spoken of but as Crimes, did after extort from Him) would not any man have expected, that had observed with what violence this Warre was begun and prosecuted against His Maiesty, to have found in the Propositions for peace the Demand of at least some, and those very important Rights, which were withheld from them before the Warre, and so had given some colour for it? But of these there appears not so much as one, and yet till all these are granted and performed, they doe as much as say in termes plaine enough in their Conclusion, That they have not any Hope, nor will use any endeavours that His Maiesty and His people may enjoy the Blessings of Peace and Iustice; which was certainly by terror of Armes to demand new Lawes, and as great a Proce that they did so, as they seeme to confesse it unparliamentary if they had done it. Is not the taking away of the Bishops, Deanes and Chapters, and indeed the whole establishd Ecclesiasticall frame of Order and Government, a new Lawe? yet unless His Maiesty will yeeld to take it away (though there were but five Lords present when the Bill passd, and though no other forme be yet offered or shewed to him, but the Presbyterians and Independants are left to fight it out among themselves, what shall succeed in the place,) His Maiesty is told, He must not hope for Peace. And the division likely to ensue betwene

different parties, what shall after be introduced, shewes sufficiently what hope there should be of Peace, if H^e should passe it.

Are not the Bill against scandalous Ministers (in which most of their owne Faction are appointed Commissioners, that they may make way for and introduce a new Clergy of their owne,) The Bill against Pluralities, which makes no difference of conditions, or merits of Persons, or of value of Livings, and lookes not only forwards, but extends to the immediate dispossessing of present Incumbents of what is vested in them for their Lives by the Law of the Land;) The Bill for the consultation of Divines (Persons of their owne choice, and most of them of their Faction, and of no esteeme but with themselves, hardly at all bounded as to the matter, and absolutely unlimited as to the time of their consultation,) all new Lawes? Is not the setting of the Militia both by Sea and Land, and the Forts and Ports, in such a manner as shall be agreed on by both Houses (in which His Majesty is expected with a blinde implicate Faith to trust them with the whole Power of the Kingdome, and with His only meanes of defending Himselfe, and protecting His Subjects, though into what hands, or for what time, or in what manner they will order or dispose of it, is so farre from appearing to him, that it doth not yet appeare that both Houses know themselves, and how they have already us'd that Power is knowne to all the World) both a new and a strange demand? Are the Earle of Bristolls Removall and Exclusion from all possibility of Employment, (a Person uncondemned, unimpeacht and unsummoned, no crime or error either proved or but named against Him,) or the choice of the Iudges and Master of the Rolls, the change of Commissioners of the Peace, and Oyer and Terminer, of the restoring of Members of the Houses, even to such meniall places of Service, as required a personall attendance, and who had yet refused to attend upon command; Or the assenting to whatsoever Acts He shall be advized for paying of Debts contracted upon the publique Faith, that is, by the Authority of both Houses (by which His Majesty must allow himselfe to be no part of the publique, and must directly allow, and as it were ratify that Rebellion which this mony was raised to foment) either due to them by Law or reasonable in themselves?

Doth the directing His Majesty with whom and how far to make Alliances belong to them? (or was that at all necessary, His inclination to the strictest bands with Princes and States of the Protestant Religion being by the Match of His Daughter sufficiently expressed?) And yet till all this be done, and unlesse He will pardon all that have borne Armes against Him, and leave those that have assisted him to their mercy who have none, they will not promise any hopefull endeavours for Peace and Justice. But is there anything else that is due by Law, which was before denied, and is here demanded, that can in any degree

gree justifie or extenuate that ever Peace was broken and Justice destroyed? Not so much as one title. Did His Majesty give any Commission till they had mustered many men? Or did he so much as take any Guard to Him, till both they had a much greater, many moneths, and had of their owne Authority ordered a Serjant-Major-Generall of their City Forces, and till his Magazine and towne were by Armes kept against Him, though He were provoked to it before by all the other Indignities and injuries, which insolence and injustice could devise? Was not Sir Iohn Hotham, for all his knowne Reason, refused to be left by them to Justice and the triall of the Law, before ever any that was but call'd a Delinquent was protected by His Majesty? And was not His Majesty then denied that, which themselves confesse to be the due, and right of the meanest Subject, and do so far expect, as to looke upon it rather as a scorne then a satisfaction, Now His Majesty offers it to them? Was any one Papist Armed by his Majesty, before many of that Religion (and multitudes of Persons against whose Reculancy the Law is as severe as against theirs) were armed against Him? Or then neither, untill their meere being of that Religion made them without colour of Law be plunder'd and imprison'd in all parts, and some of them fly into His Army for protection? Did not His Majesty before of Himselfe often offer to vindicate the Priviledges of Parliament from any imaginable breach of them in the businessse of the Lord Kimbolton and five Members? And did He not offer to wave their Charge, willingly submitting it to the publique Peace? So that the obtaining that demand, or the disbanding of the Army, or the Disarming of Papists, or the triall of Delinquents, though they make some such shew, as they are set in this place, yet not any of them were any grounds of this their War; And all that is due in these demands having been offered before the war, or occasioned or necessitated by it, and being still to be had without it, the whole People cannot but see, that nothing but feares and Jealousies have been the fumes with which they have so intoxicated His seduced Subjects, as to contribute to their owne misery to obtaine no one Right, how small and inconsiderable soever, denyed to them by His Majesty, and that the maintenance and advancement of Religion, Justice, Liberty, Property and Peace are really but their Stalking-Horses, and neither the Ground of their War nor of these Demands; which will appeare to any indifferent man that shall duly weigh them, as farre from being moderate as from being necessary.

Yet such was His Majesties most earnest desire to catch at any thing that by producing a Treaty might settle a Peace, and so farre were any such enemies of it (as are supposed by this Declaration) from being prevalent with him against this desire, That His Majesty propos'd that persons should be appointed by His Majesty and both Houses to

Triar

Treat even upon these very Propositions, and such other as His Ma-
 jesty proposed, which were only demands according to, or in behalfe
 of the Law establish'd, and which more concerned His Subjects then
 Himselfe: and his Majesty cannot but appeal to all the world, whe-
 ther not onely any of their Propositions did, but whether any other
 Propositions that could be devised could expresse more desire of the
 maintenance and advancement of the true Protestant Religion then his
 Majesties fourth Proposition, (in which his readinesse to consent to
 the execution of all Lawes made, and to any good Lawes to be made
 for the suppressing of Popery, His desire that the Lawes already made
 to preserve the Common-Prayer from the scorne and violence of
 Sectaries be backt and fortified, and His Offer at the same time that
 tender Consciences be eased by it, are so cleerly and carefully exprest
 and united;) Or of the due execution of Justice then His Majesties fifth
 Proposition, (which referes all such Delinquents as should by the
 Treaters be excepted in the Pardon, to the usuall course and knowne
 Law of the Land,) Or of the preservation of the publike liberty and
 property, (for his Majesty conceives that he hath a property too, with-
 out maintaining of which he will be never able to defend his Subjects)
 then his first, second and third, Or of the Peace of the Kingdome,
 then his sixt Proposition, which by restoring his Subjects by a Cessa-
 tion to a short Tryall of the quiet and benefit of Peace, would have
 rendred them so farre in Loue with that almost forgotten Happinesse,
 that seeing nothing demanded by them that was worth a Warre, they
 would have had a hard worke to have engaged them againe into so un-
 profitable a madnesse. And his Majesty is so confident of his advan-
 tage in all these, that he coniures his Subjects seriously to read, con-
 sider and compare what He and what they demanded, and by their
 indifferent Propositions to Iudge of their severall intentions.

And indeed, the violent party both in the City and the Houses
 (which for all the publique Feares and Iealousies they pretend, in-
 wardly and really are fearefull and Iealous of nothing so much as of
 Peace) dislike nothing more in his Majesties Propositions then the
 moderation, and suspecting that the reasonableness and unreasona-
 blenesse of what his Majesty and what they askt, would but too general-
 ly appeare by the Discussion of both in a free and open Treaty, and so
 might in despite of them produce a Peace, earnestly and openly oppose
 the Treaty, & so far oppose his Majesties proposition of cessation, that it
 sufficiently appeared by their aversion to the shadow of Peace: (as them-
 selves call it) how much and how heartily they were averse to the sub-
 stance it selfe. But when they found that they could perswade no man to
 ioyne with them in reiecting all imaginable manners of Treaty and Ces-
 sation, that did not joyne with them in abhorring any imaginable
 manner of peace, they reserved their Authority to enable them t

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breake off both, upon some what more plausible difference in the Circumstances and Conditions. A safe Conduſt is demanded by the Houſes, and their firſt Art is to get the Lord Say named in that Demand for a Treater, which they know certainly (he having borne Armes againſt His Maieſty, and beene excepted in one of His Proclamations of Pardon) His Maieſty muſt except againſt, but when they could not perſwade even both Houſes (who well remembered an example of no elder date then ſince His MAIESTY was at Colebrook, when the ſame exceprion at the Perſon of Sir John Evelin was made by His MAIESTY, and not excepted at by both Houſes) that this exceprion was ſo unpareld a breach of Priviledge, as to deſerve to hinder the Treaty from going on: their next Artes are ſo to bound and limit their Committee, both in the Matter, Manner, Time, and power, as might wholly render it un-eſſeuall; And, to that end, they firſt obtaine that their Committee ſhould Treat with none but with His MAIESTY, (a Courſe which how loſty, how advantagious, and how unreaſonable ſoever, yet His MAIESTY out of His earneſt deſire of Peace, contrary to their hopes & expectations, was contented to admit) and next obtaine that they ſhould not Treat upon any Point, but of the Ceſſation, till that were concluded, and for that allowed but foure daies, and that at twice, (in hope that ſome matter of Advantage might happen in the time of that delay) and allow them no Power (without ſtill ſending to the Houſes upon every occaſion) to conclude farther then the Papers they brought downe or delivered, or ſo much as to explaine or new-word any thing in them, (a new and a ſtrange way of Treating, and by which at that diſtance it was wholly and plainly impoſſible that any thing ſhould be concluded;) and when His MAIESTY had quitted all, wherein Himſelfe or His Army were ſole concerned, and yeilded almoſt to all that they propoſed, and at laſt inſiſted upon nothing but that they might not make uſe of the Leſiure of their Army occaſioned by this Ceſſation, to force what Summes they would, from what Countries they plea'd, (for they neither would nor could name any other bound of their Taxes then their pleaſure, when they impured that aſſertion to His MAIESTY) and to extreamely burthen His Subjects, and advantage and enable themſelves againſt His MAIESTY, (in contradiction to the Principle layd downe by themſelves, and approved of by His MAIESTY, That by the very nature of a Ceſſation, matters ſhould be preſerved in the ſtate they are in, and neither party have Liberty, much to advantage himſelfe,) nor yet inſiſted any further upon that neither, then to leave roome ſtill for ſatisfaction (if any Reaſon could be offered againſt ſo reaſonable a Limitation) by a continuance of

the Treaty concerning it, They vouchsafed Him no Offer of any such Reason nor allowed their Committee any farther Time or Power to Treat concerning it, without expressing any better cause for so abrupt an end of so important a debate, then to avoyd the Waste of Time; though His Majesty could not conceive, that could be called a Waste, or how time could be better spent, then to settle such a degree of publique Peace, as might reduce the minds of all men to such a Temper, as might make a full Peace much more probable.

Nor did His Majesty finde in the Treaty it selfe, that the Committee were any better enabled, though (to avoyd delay, and that a Conclusion might be made possible) His MAJESTY often desired it; They were limited twice to foure daies, and once to seven; They were bounded to two Propositions, and to their bare narrow instructions concerning those; nor had they so much as any power or Instructions at all concerning that most important part of their owne Proposition, so often prest by themselves, His MAJESTIES returne to His Parliament; so that resolving (as it will be after shewed) they did, to yeeld no farther to His Majesties Proposition then with such Limitations, as would in effect retaine what they seemed to give up, they expect that His MAJESTY should entirely yeeld to theirs without any Limitation, and (to invert their owne Words upon another occasion) should yeeld to that, which would have produced to them an absolute victory and submission, under pretence of Agreement and Peace: It being evident to all men, That His Rights forced from Him by violence being not absolutely restored, His Army being disbanded, and He returned to London, the Members of both Houses for dissenting from, and assisting of Him remaining expelled, no security from Tumults for the rest of the Members being given, and all good Subjects being totally discouraged by so absolute a Prevalence of the Factions and Rebellious, His MAJESTY were as much in the disposall of the five Members as if they had Him in the Tower, and He ought His Crowne wholly to their Grace and Favour, if they did not Depose Him. And yet they would be thought to desire nothing, in desiring that the Armies should be upon these termes disbanded, but onely that the Kingdome might be eased of their burthen, and the spring of these Calamities might be stopped.

His MAJESTY demands; That His owne Revenue, Magazine, Townes, Forts and Ships, taken by Force be restored to Him. The Revenue (which they could easily pay backe out of other mens Pur-ses) they easily agree about, but to part with such strengths which had and did helpe to enable them, to leave no Subject any more of his Right, then they had to the detaining of these, they can by no means endure.

endure. And therefore they propose such limitations, as in effect li-
n it away all, and yet may seeme to the vulgar or to the carelesse not
to signifie much; to wit, That these strengths may be put into such
hands as they will confide in, and that no lesse then three yeeres;
That the Commanders may, during that time, not admit of any For-
ces upon whatsoever occasion without Consent of the Houses, and
they and all Generals and Commanders of the Armies on either side,
may swear to preserve the Peace of the Kingdome against all Forces
raised without consent of both Houses, and this for no limited time,
His MAJESTY who had asked nothing but what was His by
Law, and who in order to Peace had not asked so much as by Law
was due to him, (to wit, the punishment of those who had taken these
things from Him) could not but wonder to see such things asked of
Him, to which by Law there was no Pretence; He therefore endea-
vours to limit their Limitations to the Law of the Land; He names
those Persons to this Custody, whom the Law had named first, and
express himselfe most willing that they should be put out at the same
doore they came in at, that the Law, which had vested them, might
eject them, if they had offended against it, but expected not that
the Injury done Him, of taking these things from Him and them con-
trary to Law, should be a reason why any new Conditions or Limi-
tations should be laid upon Him, or His Ministers, which the Law laid
not. To this the Committee replies, not denying, what the King
asked to be legally His, or to have been illegally taken from Him,
nor making any legall, or so much as colourable, or at all any excep-
tions against the Persons legally vested in those Places, and without
any Cause shewed, it would have ill become His MAJESTY to
have devested His servants of their Rights in the instant, when some
of them are venturing their Lives for His service, but retire to their
old inaccessable Fort of Feares and jealousies. To this is MAJES-
TY rejoynes, shewes what he had done to prevent and destroy
Feares and jealousies in them, intimates what they had done to create
Feares and jealousies in him, That having by force taken these things
from Him when he had them, he had more Reason to have insisted
upon further Security to enable him to keepe them, then simply to
desire them to be returned to Him, (and much more then to grant
them more hold of them to enable them, the better to wrest them from
him againe) represents to them, that by the same Reason, upon the
same Ground, they may aske him all his Legall Power, since all the
Power vested in Princes for the necessary Protection of their subjects,
may possibly be imployed for their hurt, and concludes in his Opinion
with a very wholesome Advice against that dangerous (and now too
Epidemical) Disease of Feares and jealousies, and prescribes to them

to make the Law their Rule and measure, as the best Antidote and Cure for that disease.

This insisting upon this Answer, as His Majesty for these Reasons thought to be most reasonable, so He likewise thought it most necessary; first, because themselves having told him in the Debate about Cession in the Point of Ships, that for them to allow Him the Approbation of Commanders, was to give Him up the Strength, He could not want Logicke so much, as not to draw this Conclusion from these Premisses, That for Him to allow them the Approbation of the Commanders, both of Magazines, Townes, Forts, and Ships, was in that to give all back to them, which they would seem to restore to Him. Secondly, because His MAJESTY by now consenting upon the ground of Jealousies to such Demands as exceed Those, which (before they had joyned the injustice of forcing these things from Him, to the unreasonableesse of demanding them) His MAJESTY in his weakest Conuiction denied to them, He must appeare to justify those Jealousies, to approve of those Demands and of that injustice, and to condemne himselfe as guilty of the wofull effects of that Contention, for not having sooner consented to them. Thirdly, because he must condemne the Lords House of the same Crime, for having twice refused to joine in that Demand, and having had no Jealousies as long as they had no tumults. Fourthly, because he must either quit, during the lives of these severall Persons required to be sworne, and at least for three yeeres (when the Militia in their owne Bill was asked but for two) his known Right of sole raising men, and without the consent of both Houses (even although no Parliament were sitting, for the Bill that saies it may continue, does not say it must) He must neither be able to discharge his Duty to himselfe by his owne Defence, nor make good his Oath, by the protecting of his Subjects against any sudden, dangerous Rebellion or Invasion; or the Commanders of all his Ships, Towns, Forts and Magazines, and all the Commanders of both Armies (that is the most considerable Militia of England) must according to this new Oath oppose any opposition He shall make, and must be equally obliged by it, to fight against his Forces, as against those of the Rebels or Invaders. Fifthly, because if he should give them so great a Prerogative, for so long a time, as this share in the choyce of men to places of so high Power and Trust, the Dependance of Subjects upon the Crowne, would be much diverted, and he could never expect to be faithfully served, when no other Crime of theirs appearing to Him, He should so farre devest the present Proprietaries of their legall Right, as to submit it anew to the Arbitrarinesse of their Confiding, who have given his MAJESTY no greater Cause to Confide in their Choice. Sixthly, and lastly, because if he should allow them

them that power for that time, upon that Reason, Hee cannot doubt but against that time were ended, the Sweetnesse of Power being once tasted, they would be so unwilling to quit it, that the f me powerfull violent Party would not want the like feares to beget the like demands of the same or greater interest, in the Choice of the same or greater Places; and the same Consequences would not likewise faile to follow, if these Demands were not consented to, and even His good Subjects seeing it the most prosperous, might bee induced to thinke Faction and Sedition the wisest Course; and when they saw His MAJESTIE give such an Encouragement to Rebellion, might thinke it pity, he should ever be without one. And his Majesty conceives, Feare and Iealousie may be a good Reason, to make Him cautious how He part with His Right, though a very insufficient Iustification of their forcing that from Him, to which they could pretend none.

But still His MAJESTIE hoped, that they onely insisted upon such Limitations of his Proposition, till they saw what Limitations He would offer to theirs, and therefore to reduce them to moderation by his Example, He proposes to the Houses (for the Committee had no Power or Instruction to treat of the principall point of it) no other limitations, then were both due by Law and necessary in themselves, and offers as soon as He was satisfied in His first proposition, (to which if they would have put him in minde of any such objection in the Treaty, He would never have required, that the exact Computation of his Revenue taken from Him, should be agreed on before disbanding, which is now objected to Him, not as an Injustice, but as a purposed Delay) as soon as the Houses were restored to that Condition in which they were, before the Tumults and these Distractions forced the Members from thence, and as soon as He and those Houses were secured from Tumults (onely adding His own opinion, That adjourning twenty miles from London could onely effect it, and offering them the choice of any place at that distance in His whole Kingdom) He would immediately disband and returne to His Parliament; and expected much more that this Message when it was received at London should have met with Bells and Bonafires, then have received neither approbation, nor answer.

But that violent Party which looks upon Peace like a Monster, fearing lest if the Treaty should any longer continue, so faire an approach to Peace, might by degrees steal it on upon them, before they were aware, prevails to return no other Answer, then immediately to send for their Committee from Oxford, and to send the Lord of Essex to Reading. His MAJESTIE waits awhile, and againe in a Message he had occasion to send to the Houses concerning Ireland;

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He takes occasion to put them in minde of that former Message, and to renew the expressions of His Desire of Peace, but this Message had no better luck then the other, for no Answer hath beene sent to it, onely in stead of an Answer, the same violent Party makes a shift to goe a step or two higher, and to prevaile in the House of Commons to vote Excises upon Commodities, and the making of a new Great Seale, though the making of it will be Treason by the Statute of the five and twentieth of Edward the third (and an Order of the House of Commons will be but an insufficient Plea against that Statute) And though they might have remembred, that it is by the old one that both most of them hold their Lands, and all of them are called to that House. But since His MAJESTIE would not allow them a share in making of Peers (as they askt Him in their nineteen Propositions) nor allow of their choice of Iustices of the Peace (as they askt Him in their fourteene) and did still pretend to making of Sheriffs (which they have denied Him by their Votes) It seemes they thought it necessary to make that, which (if it could be made Legall by Voting) would make all those, and to end the Dispute about His MAJESTIES Negative Voice, by passing by Commission what new Bills they pleased, and so to obtaine as absolutely an unlimited Power over their fellow Subjects, as over their Sovereigne Himselfe.

Yet His MAJESTIE would take no notice of all this, but sends once more, a third Message, to desire an Answer to His first (which had then lain in their hands above a Moneth) This pressing for Peace appears so intolerable to them, that the House of Commons was the best way to make a finall end of all such Messages, and indeed to cut off all Entercourse) is prevailed with by these men to commit the Messenger, and the next day to impeach His MAJESTIES Royall Consort of high Treason, as if she would give Him a faire warning how He troul'd them about Peace againe, lest His turne be next, and they impeach Him too. But though they vouch safe His MAJESTIE no Answer, yet the People is still thought worthy of some satisfaction, and that produces this Declaration, which pretends fully and sufficiently to shew, that in the Treaty, their Demands were such and so moderate, as was fit and necessary for them to make, and just and reasonable for His MAJESTIE to assent unto, and His MAJESTIES were such as had neither Reason nor Justice, either in the matter or manner of them, and such as left the People no hope or expectation to see an end of their present Calamities, and charge the King through His Counsellors in many Circumstances, before, and during it, to have blowed to interrupt the Treaty, and to have appeared over to Peace, and in this Question His MAJESTIE is

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content to accept of the Arbitrator they themselves have chosen, and to refer it to the People to judge.

Their first Argument is, that this Treaty is for the disbanding of the Armies and Forces in opposition to each other, That these Townes, Forts and Ships are a great part of their Forces, so that for them to restore them absolutely to the King, would be for them to disband totally, and for His MAJESTIES Forces to continue. To this his MAJESTIE answers, That this Treaty was intended by Him to be in order to a firm and settled, that is a just Peace, and never to be such wherein a pretended equality should exclude evident Justice. Let equality determine the manner of the disbanding of the Armies raised upon these distractions, but let Justice restore what violence hath taken, and deter mine of known undoubted Rights; since by this Argument, if any Prince seize upon any strength that belongs to his stronger Neighbour, and Arms be taken up upon it, the stronger must never in a Treaty, when the Armies are to be disbanded, expect to have his strength restored to him, lest the other returne to be what he was, and what he ought to be, that is, the weaker of the two. Secondly, his MAJESTIE answers, That by the same reason of Security, other Power and Privileges being strength as well as Forces, and neither more vested in him, nor lesse possible to be used for the Peoples hurt, they may as well require a share and interest in those too, and that things may be made sufficiently equall between the sides, may expect to be as much Kings as he. Thirdly, in their own opinion and by their own confession (as it appears by their Argument used in the Cession in the point of Ships) if they be but allowed the Approbation of Commanders, his MAJESTIE gives up this strength to them, and not they to Him, and it will be their Forces, and not his, which are to continue undissolved, and that that they say to be contrary to equality, and (as they came by these Forces) it is evident to be contrary to Justice. Fourthly, his Majesty answers, that these Forces are not so great, or so great a strength of the side that shall possess them, but that the Arts, Union, Industry, and Violence of that Party was so much too strong for his Majesty when he had that strength, as to take that strength from him, and therefore his Majesty wonders they should make any difficulty to restore, what it may appear by so fresh experience, that they are so able to resume; and therefore his Majesty hopes his People will attribute it to his great Desire of Peace, that hee did not demand some farther security to enjoy that which is not denied to be his Majesties. And his Majesty observes that both this and the second Answer were given by his Majesty to the same Arguments made upon the same occasion by their Committee in the Treaty, and yet this Declaration repeats the same Arguments without replying to those Answers. Fifthly, his Majesty desires that the Difficulty with which his Majesty

Majestie raised His Army, and the Ease with which they raised theirs, may be considered; how impossible it would have bin for him to have raised Forces, if they had not raised first, and how much slower (this Army being disbanded) he could raise a new one. and how quick and ready their body of fierce, eager Sectaries and Schismatics would be to returne into an Army upon the least Call, and how conveniently they inhabit for so speedy a meeting, being to continue most of them in or so neer London, that their Quarters in War were usually much more distant then their dwellings in Peace; and then his Maiesty doubts not but it will appear, that in this respect too, the reall and totall Disbanding is of his Maiesties part onely, and that in effect the Continuance of Forces is still of theirs.

Then second Argument, Why his Maiestie should admit of their Limitations, is a bundle of Precedents. To which his Maiestie replies: First, that the Records which are here quoted for these, are now in the same hands as his Maiesties Magazines, Townes, Forts and Ships, and therefore knowes not how hee can either have their Truth sufficiently considered and examined, or without it confide in their Quotations. Secondly, all the particular Circumstances both of matter and time, what induced it, and what followed it, doe not herein appeare (though very necessary to be knowne, that they may be possible to be answered.) But this his Maiestie can finde upon view; That some of them concerne not any part of what is now demanded, but one of them concerne a Chancellour, Treasurer, and Privie-Seale, and another concerne Privie-Councillours, and another the Protectorship, another the choice of some without whose Advice, or of some of them, nothing should be done by the King; (which it seems they have an eye upon demanding too, which made them run so much in their heads, who collected these, as to put them in here;) That some concerne not the Persons now demanding, but conclude onely for the Merchants to chuse an Admirall and not for the Houses to confide in him, Which Precedent may bee of some use to the Common Councell, but of none to the Parliament; that some are of no concerne at all, as onely about appointing of Clerks for payment of Wages (yet put in to increase the Bulke) that hardly any of the Precedents, that concerne any of the things in Question, concerne any more then part of those which are altogether demanded in the Limitations desired; some concerning onely the command of Ships (and those too not granted by Act, but by Commission, and that, for ought appeares, only during pleasure;) some extending but to one Towne or Place, as Berwick or Jersey; That most of these Precedents appear to have been, when the Kings were in minority and under Protectors; some when they were in extreame Age and Impotencie; some in the Reigne of a King who was shortly after deposed

posed in Parliament too, (an unlikely Circumstance to invite His Majesty at this time to follow that example;) others in his Reign, who succeeded him, and (having no Right to the Crowne but the Criminall consent of both Houses) had reason to deny them nothing who had given him All. And of some of the Precedents now quoted, the Inconveniencies are known to have been so great & so suddenly found, that they were so speedily revoked in Parliament (with no lesse a Brand then as being contrary to the Customes of the Realm, and to the blemishing of the Crowne) that if they had ingenuously added those Circumstances, these Precedents would more have justified His Majesty for not yeelding, then them for either asking any thing towards those, or but for quoting them at all. But doth any of these Precedents tell us, that these Parliaments claymed any Right in any of these, or that any King yeelded any degree of Power in any one of these Points to both Houses, when they had first taken them from Him by force, and rais'd an Army by Ordinance against Him, and He was in a condition to resist what they had raised? And if either any of these Kings were so much in their Power, that his Consent was as much forced from Him as these Particulars were forced from His Majesty, or if they were so far out of Danger of any farther Encroachments upon their Power, that He could have no cause of Feares and Jealousies in granting some of these to them, nay that their advice in the Choice arose wholly from His Majesties Desire and not their Demand, then the Precedents fit not to this Case, and so make nothing for their purpose. But now that the perpetuity of this Parliament hath so farre encouraged those, who by Arts and Violence have gotten power over it, that they may probably hope to make this Power as perpetuall as it, and have given so sufficient Evidence, what farther use they would make of any Power, His Majesty supposes himselfe to have more reason to be cautious in that point then any of His Predecessors, who were content to share any part of this power but for once, with but a temporary Assembly, especially since their severall Propositions have showed how much more they wish, and M. *Primmers* Bookes (printed by Order of a Committee of the House of Commons, signified by warrant under Mr. *Whites* hand) have showed how much more they pretend to; and since any Grant of His is desired by these men but to enable them to obtain the rest of their preterres or desires, what He yeelded to them concerning my Lord of *Essex* and Sir John *Coniers* being Lieutenants of *Torke-shire* and the Tower, being prest in these very

Precedents as an argument to Him, why He should grant all they aske now. On the other side, if His Majesty should make use of their own kind of weapon, and do the same or as great things, or make them the like or as great demands, as their Predecessors have tacitely approved of, or directly assented to when they were done or made by his, (as in the just famous time of *Queene Elizabeth*, in the case of *Stanhop* and *Savile*, or in the same time in *entworths* case; or in the Reign of *Henry* the Eight, in the power given to Him to dispose of the Kingdome by his Will and Testament, and others of the like and neer as high kinds) He beleeves both Houses would think what others then did, to be no argument to perswade them either to approve or consent, but would rather for ever wave all Arguments from Precedents, then direct themselves by the same Rule.

Their third Argument is, That his Majesty had formerly exprest that his Forts and Castles should be only in such hands as both Houses might safely confide in. And His Majesty expresseth still as much; and till some just legall cause be shewed Him why the Persons now in those Commands cannot be safely confided in by them, He conceives they might safely confide in them if they pleas'd. But His Majesty did likewise once say, He would put all these places, both of the Forts and Militia, into such hands as both Houses should approve or recommend, unlesse such were named against whom He had just and unquestionable exceptions. To which His Majesty replies, That His offer not giving them satisfaction then, (for they would then limit no time for the Militia, which was the condition of that offer of His Majesties) and since it seemes it would give none yet, (for they now ask no lesse for the Ships then for those, and more for both, as to the time and other circumstances, then He then offered for these) and they, by forcing those Places from Him since, and some of the Persons legally vested in those places, by their faithfulness to him in this War, having given Him so much more cause not to yeeld to it now, Hee conceives the case to bee so altered by all these differences, that though, out of His earnest desire to satisfie them as long as He thought them capable of satisfaction by it, He then intended what He spoke, yet He may insit upon what He now insists, without being said to have receded from His word. Did not they refuse to accept of foure Persons named in His Majesties Bill concerning the Militia, which themselves had but newly offered Him in their Ordinance concerning it? And had those Persons in that time given them so great cause for that refusall as His Majesty hath had given Him for this? And yet will they confesse that ill Counsell prevail'd with them to recede from their words, and that therefore His Majesty had the more cause to be farther secured?

Their fourth Argument is, That unlesse these limitations bee granted, those

those secret and wicked Counsellours, that have beene instruments of the present miseries, will have the disposing of those places, and His Majesty carry but the Name. To this His Majesty replies, That knowing who have beene the Instruments of these miseries, He should by that beleve the secret and wicked Counsellors spoken of to be the active part of the close Committee, for if He have any wicked Counsellors about Him, Hee confesseth they have cause to call them secret as well as wicked, since they have not only wholly concealed themselves from Him, but He having often pressed to have some named, could never obtaine from them the name so much as of one, nor since hath heard so much as one prooffe or charge either of being wicked Counsellors, or of any Legall crime against any of His Servants whom they have named, though they have published them withall to bee incapable of Pardon. However he finds that if what they say were true, the ends of these Counsellors and of their violent Party is but just the same, that is, to dispossesse of these places, and that his Majesty may only carry the Name.

But they have found a Letter of his Majesties to the Queene, Which shoves that the great and eminent Places of the Kingdome are disposed of by her advice, (and then conclude from her Religion, that they are by consequence disposed of by the advice of Papists and Jesuits) and that the Persons there named, even during the sitting of Parliameat, are either all impeacht by them, or beare Armes against them. To this his Majesty replies; First, that he cannot but deplore the condition of the Kingdome when Letters of all sorts of Husbands to Wives, even of his Majesty to his Royall Consort are intercepted, read, brought in Evidence, and published to the World. Secondly, that if they will remember how farre many of those Persons of both Sexes, who have received most notable markes of favour from her Majesty, are, even in their owne Opinion, from so much as inclining to Popery, they must confesse her Favours and Recommendations not to be disposed of by Priests and Jesuits. Thirdly, That the Places there named, in which her Majesties Advice may seeme to bee desired, are not places (as they call it) of the Kingdome, but private meniall places, a Treasurer of the Household, a Captaine of the Pensioners, and a Gentleman of the Bed-chamber: That concerning the other more publique Places, his Majesty absolutely declares himselfe, without leaving roome for her advice, which seemes to prove the contrary to that, which by this they intend to prove. Fourthly, That of the Persons there named, there is not one that either is a Papist, or so like one, that a Jesuite may be thought to have recommended him, nor any one (except the Lord *Tigby*) that was either impeacht, or otherwise taxed, or that could appeare to his Majesty to

have ever beene in any degree dislike'd by both or either House, before assisting his Majesty against a Rebellion did lately become Treason: and whoever considers the Time and other Circumstances even of that impeachment, and that their eyes were then so dazzled with Feares and Jealousies as to take a Coach and sixe horses for an Army rayed against them, will hardly looke upon that impeachment with that reverence which hath usually beene paid to Accusations of that kinde: And for their bearing of Armes in such a Time, wherein all his Majesties Subjects do either beare or assist Arms, either for or against him, he supposes that it will not be thought strange, if he chuse Persons for such Places as are in his owne Disposall, rather out of the first sort then out of the second.

And as his Majesty hath fully answered their Observations upon his Letters, so he beleeves that one thing more (though unobserved by this Declaration) cannot but be observed out of them by his people; and that is, That in his Majesties most private Letters, to the Person neereest to him, wherein he cannot (as by some in his publique Declarations he is) bee suspected to say any thing out of Design or Policy, his owne cleare perswasion that the Rebels, and not he, have beene the cause and are the fosterers of this Warre and universall Distraction; and his Sense of it, and his Desire of the end of it, are so plainly exprest, that they will by this Accident bee much satisfied with his Majesties innocence and reality, and beleve that the reading this in such a Letter, is the very next Degree to reading it in his heart.

Their fifth and last Argument is, The attempts of force and violence against the Kingdome and this Parliament, and they instance in foure. The first is, a Designe many yeeres since, to bring into this Kingdome the German horse, to compell the Subjects to submit to an arbitrary Government. And to this his Majesty replies, That he esteemes his condition more miserable then that of any of his Subjects, when he sees a few factious persons have obtained that power, as to be able to publish to all his people, in the name of both houses, a Charge, which (comming forth with the semblance of such Authority) may much worke with them against him, and yet doe not (which is certainly because they cannot) tell any one prooffe or particular, either whence, whether, when, by whom, or by whose Designe these horse should have been brought. They confesse it is many yeers since, and it seems it is so many, that these particulars are all worne out of the memory of man.

The second is, the endeavor to bring up the Northern Army by Force & violence to awe the Parliament. To this his Majesty hath so often answered & received so little Reply, that he will only now briefly say, that according to the Evidence they have published themselves, (& that before hearing the persons

sons concernd in it, after so long a time of the Houses leisure & their attendance, whose answer, it was perhaps feared, would have cleared it more) it doth not appear that there was ever any Endeavour usd in it, nor any thing further then a meer motion, which dyed as soon as it was conceived; and it doth appear that His Majesty absolutely dislike't it as soon as by way of Discourse it was but named to Him: But if it had been really endeavoured, it had been but an Endeavour towards that which was directly put in Execution by the Tumults, and Those countenanc't by the Refusall of the House of Commons not only to punish them, but so much as to joyne with the Lords in a Declaration against the like for the future, and by the stopping the legall Proceedings against Riots by a single Order of the House.

The third is, His Majesties comming in Person to the House of Commons with many armed men to demand their Members to bee delivered up. His Majestie confesseth He came, He denies that (to His knowledge) he came accompanied with any men otherwise armed, then with His Guard and Pensioners, in the same manner as He usually came to the House of Lords, and with some Gentlemen (as His Train when He goes to any publicke Place is alwaies so wayted on) with their usuall weapons, their swords. And if they had beene as carefull to publish what Persons of Quality (as Sergeant Major *Ashby* for one) testified upon their knowledge and Oath, as what meane, unknowne, and unworne Persons delivered upon their bare Credit, or upon hearefay, it would have appeared to His People how little violence was intended by any who came with Him however armed; and what Care He tooke, and what Orders He gave to bee sure to prevent any that possibly might have hapned. His Majesty likewise confesses, That he demanded the Members He had accused of high Treason; but puts them withall in mind, that the House of Commons had hardly left Him any other Course, having by their single Order, the night before, intercepted all ordinary proceedings of Justice against them, forbidding all Officers to attach any Member for any Crime without the consent of the House, and encouraging the People in that case to assist them against any Officer; though their Priviledges had been confest'd by a late Petition of both Houses not to extend to Treason; and though this Order were as illegall and unjustifiable, as not only by His Majesties comming to the House, but even as any thing they would have had the People beleieve that He intended when He came. But what ever Breach of Priviledge there was in this, His Majesty did not offer to justify it by their preceding

breach of Law, but offered them often Reparation and satisfaction for it; but it seems nothing but the Ships, Forts, Ports, Magazine and Militia of the whole Kingdome would appeare to them a Reparation, for a single, and (this Circumstance considered) perhaps a disputable Breach of Priviledge.

The fourth is the Treason of the *Earle of Strafford*, to bring over the Irish Popish Army to conquer the Kingdome. To this His Majesty replies, That whatever the *Earle of Strafford* could have said (for this Army He is sure was never brought, nor, that He ever heard, was ever endeavoured to bee brought over, either to that or any other purpose) His Majesty cannot see why it might not have remained buried with him, or why any other satisfaction should be given for it, or other security against the like, then the punishment he hath already undergone.

Having given what Reasons they can to justifie their limitations of His Majesties Propositions, This Declaration in the next place attempts to satisfie that Reason insisted on by His Majesty, that it is His Right by Law, (to which they should have added, and contrary to Law forced from Him) & not being able to deny that, and yet being willing to deny something, they quarrell at the phrase, and deny that this power of disposing these Commands is by Law *absolutely* vested in His Majesty, and that because He is trusted with them for the Defence and Safety of the Kingdome. His Majesty still justifies what He said Himselfe, and yet confesses all that they say too, but only denies the Consequence; for no man is absolutely vested in any thing, if being trusted with it to some end hinder Him from being so. The House of Commons is trusted with a Preparatory, the House of Lords is trusted with a Judicatory, the King, Lords and Commons are trusted with a Legislative Power, and all these have those Trusts vested in them for the publicke good; and are not yet all these Trusts absolute, that is, subject to the Controule of no other Power? Is no man absolutely vested in his Goods, because all We have We are trusted with for the glory of God? His Majesty meant only that this was so absolutely vested in Him by Law, as nothing but a new Law, could without Breach of Law, take or hold it from Him.

But the Declaration is content to admit that too, only denies it to be a Reason why His Majesty should deny to alker that Law, when by Circumstance of Time and Affaires, that Power becomes destructive to the Common-wealth, and safety of the People, the Preservation whereof, is the chiefe end of the Law. And His Majesty is equally ready to confesse that it is no Reason, but doth absolutely deny that this is the Case, (insisting that the circumstances of time and Affaires hath made this power more necessary then ever to remaine in His Majesty for the protection and safety of His People) and He claimes Himselfe to be as absolutely trusted by Law with
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the small Judgement, whether it be the Case or no, and with a Power of rejecting any such Alteration upon any such Pretence, if it appeare but a Pretence to Him, as either House is trusted to propose any such Alteration to the other, or both to Him, if it appeare to them necessary and convenient.

But saies this Declaration, the two Houses of Parliament being the representative Body of the Kingdome, are the most competent Judges thereof; & saies His Majesty, The representative Body of the Kingdome is indeed, and that is the King, Lords and Commons; else either the Head is no part of the Body, or at least will be no longer then the Body please. Indeed the two Houses in some sense represent the Kingdom, in any action which the Law (which is the rule of the Kingdom) hath entrusted & enabled them to do; but either one House or His Majesty do equally represent it in any thing, which the same Law hath entrusted and enabled Him or them to doe: and for those Actions in which the Law requires the Consent of all three, every one is to be allowed their owne severall distinct judgement, for themselves only, and any one without the other two have as much Right as any two, without the Third, to represent the Kingdome, and to be competent Judges of the Case. And His Majesty cannot but take notice how much reason He had not to yeeld to this demand, since the grant of this Demand would be received as an Admission of this Case; and it would Logically enough follow, That if His People cannot be safe and He retain this Power, He doth not deserve to retain any: and if their Demands were granted, and the Armies upon their Demands disbanded, this consequence in all Probability would soon be both perceived and prest.

But His Majesty may without Prejudice admit both houses to be the most competent Judges in this particular, and then put them in mind, that before so many things had beene done by the violent Party to turne the Tyde of Feares and Iealouſies, before they had involved the King and Subject in a common Suffering, and equally destroyed all the Property of the one, and Prerogatives of the other, by Orders and Ordinances, and so there then appeared lesse necessary that this Power should remaine in the Crowne, either for the preservation of it selfe or of the people, and little danger appeared to the people if this power were thus shared. The house of Lords did then twice deliver their Judgement, That this power in his Majesty was not become destructive to the Common-wealth and safety of his people, nor the Alteration of this Law necessary, by twice denying to joyn with the Commons in their desire, That part (for the Ships & the Time were not then named) of this power might be shared, and of this Law altered; by which deniall the Commons were forced to Petition for it by themselves. Nor did they

they only deny it, but both times, in full houses, after long and free debates; it was carried upon the Question by above Twenty voyces; and that at a Time when all the Papists Lords had left the Towne, and hardly any Bishops were left uncommitted (Twelve being at once clapt up upon an Accusation of Treason, which they themselves have since been ashamed of enough to wave) who were then the Persons usually represented to the people to be the evill Counsellours of the Lords house, and to whose prevalence it was imputed in the first Remonstrance of the house of Commons, that their good and necessary motions did not passe in that house. And as they denied it twice, so they would have denied it till now, if the Petition of many Thousand poore people about *London* (who certainly did not then believe the Lords to be competent Judges) and the demand of the house of Commons joyned to it, to be told the names of those Lords who denied it, and the direct Threats of so many Petitioners (to which the former Tumults gave sufficient Credit that they would be really executed upon them) had not made many of the Lords to be of his mind who would not dispute with him who commanded thirty Legions, and give way to the potent Minor, part to appeare the Major, by absenting themselves and suffering them to passe what they pleased. So that neither the Votes which then past to desire these particulars, nor the Execution of these Votes, and sealing these particulars, with a violence yet greater then obtained the Votes, nor the multitude of Consequences of the same kinde built upon that foundation, can at all be said to have had the Authority of both houses, though most of those actions have been such, as the Authority even of both houses, how full and free soever, would not be sufficient to justifie. And this opinion of the necessity of altering the Law in these points, was even then at most but the Opinion of the house of Commons, awed by a few Members assisted by the common people, and together with them awing the Lords.

They next pretend heartily to wish, that the Lawes and Statutes of the Kingdome, may be the Rule of what is or what is not to be done; but how little fruit hath been gathered from this Tree, they say let the experience of the last Eighteen yeares judge. To this his Majesty replies, That it is true in some sence, they are willing these Lawes should be his Rule, that is, that he goe no farther (though they will by no means allow him to go near so far) but almost all their Actions, and most of their Demands, and particularly these, doe sufficiently shew, that they will not admit of these Lawes and Statutes to be any rule to them. And how much better fruit they have grafted then they found growing, and whether they have not made use of the Cure and Remedie of Grievances, a Parliament, to impose more of all

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all kind of grievances upon the people in 18. months, then can be objected to His Majesty or Ministers upon the breach and in the intermission of Parliaments during those 18. yeers, let experience be judge. And it cannot but appear strange to His Majesty (if any thing could still appear strange to him) that the illegalities under which his Subjects suffered by some of his Ministers, in some part of His Reigne, should be now, and by them, laid as a charge upon him, when not onely the people have suffred far greater illegalities and pressures, upon the same, if not lesse pretences, by those who charge him with them; but when hee hath by his acknowledgements, by his ample satisfactions, by the submitting the offenders to punishment how great or neer soever to him, and by his many and solemn protestations, given security to his people that they shall never suffer the like under him: and when they on the other side as good as protest to the people, that they think themselves obliged to maintaine (and consequently are likely to continue) what they have done, because they have done it, and that their actions shall not be retracted, lest some reflection or dishonour fall upon both Houses, and lest they may seem to pronounce a sentence of injustice and rashnes against themselves; this being one of the reasons given by them, why they cannot readmit the Members they have expelled. And his Majesty is confident, that his people, when they shall consider both his ministers actions and theirs, and after compare his ingenuity with their principles, will easily conceive under whose government they are most likely to return to the known rule of the Law, and to find that ease, and to be continued in those rights in and to which they were born, and of the exorbitance of whose power they have most reason to have any fears and jealousies, and against whom they have most reason to desire to be secured that they shall enjoy their rights.

Nor do they with more colour oppose his Majesties limitations and conditions then they defend their own. They object against his Majesties demand or limitation of being satisfied in his first proposition, That if his ships, forts, &c. were to be delivered before disbanding, it must after be left to the pleasure of the Papists, and other evill counsellors about his Majesty, whether they would disband or not. But his Majesty replies, That he made not his limitation in these terms, As soon as his first Proposition should be wholly granted to him, But as soon as he should be satisfied in his first proposition; which left room enough upon debate to have agreed either upon the time of delivery, or upon sufficient caution, that after the delivery the disbanding should unavoidably follow. Nor can his Majesty look upon this objection otherwise then as a jest, since if after the performance of part of the conditions he had refused to perform the rest, he is perswaded that so open a breach of faith would have given them a far greater strength then they had parted with in the ships and forts, and have raysed against him a farre greater Army then he should have refused to disband. They object against his Demand of the restitution of Members, that in his Demand no distinction is made of persons, or Offences, when the reason thereof is, that really no distinction can be made, they being all equally innocent, and all equally injuriously expelled, not only for com-

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mitting no crime, but for that duty and loyalty which deserves both approbation and reward. And if they could make any distinction in this point, or any objection in any other, which might possibly have satisfied His Majesty, why did they not continue the Treaty, and there offer it to, and debate it with His Majesty, rather then break off the Treaty without giving any Answer to any part of His Majesties Message, and to turne themselves wholly to the People, from whom no returne could possibly be made that might be in order to peace? They object against the Reason of this Demand; (That these Members have been expelled only for adhering to His Majesty) That the same Reason may be used for the Judges who adhered to him, by furnishing him with great summes by illegall Judgements about Ship-mony and Monopolies; and that he may aswell require the Houses to repeal the Impeachments and proceedings against them. To which His Majesty replies, That by never having appear'd at all in the favour, excuse or extenuation of the fault of those Judges (who are to answer for any unjust judgement, in all which his Majesty left them wholly to their consciences, and whensoever they offended against that, they wrong'd his Majesty no lesse then his people) and by his being yet so carefull of these Lords and Gentlemen, it may appear that his Majesty conceives, that those only adhere to him, who adhere to him according to Law. And whether the remaying part of the Houses be not more apt to repeale their owne Impeachments and proceedings against those Judges (if they conceive they may be made of use, and brought to adhere to them) then his Majesty is to require they should, may appear by their requiring in their fourteen Propositions, that Sir *John Bramston* (impeacht by themselves of so great misdemeanors) may be made Chiefe Justice; and by their freeing and returning Justice *Barkley* (accused by themselves of high treason) to sit upon the Bench, rather then free and imploy Justice *Mallet*, who was not legally committed at first, but fetcht from the Bench to Prison by a Troop of horse, and who after so many months imprisonment remains not only un-impeacht, but wholly without any knowledge of what crime he is suspected.

They next object against the persons in whole behalfe the Demand is made. And to this his Majesty replies: That to shew how farre He was from having raysed this Army, or from intending to imploy it to destroy this Parliament, or the Act for the continuance thereof, as is falsely and maliciously charged upon Him: To avoid the Objection made against him, as if he only pretended to desire to rule by Law, but would really be the only Judge of Law Himselfe, and deny all judgement to both Houses: To show how willing he was that both Houses should be the Judges of what belong'd to them to judge, whensoever they might be in that full and free condition in which it belong'd to them to be; and to avoid the Destruction of the Kingdom, which would be occasioned by the delay of disbanding, if that were not ended before all the present Differences, His Majesty propos'd this way of a full and free meeting in Parliament, and to refer thote many differences betweene him and the remaying part of both Houses (on which hee might

with justice have insisted, and which in themselves were necessary to bee settled) till they might be settled in that meeting, and insisted for the present only upon that which was necessary for the settling of such a meeting. And in such a Convention, if the persons now in question should upon debate have appeared guilty of such crimes, wherewith this Declaration charges them, as to have deserted the house (when intolerable tumults, and unjustifiable Votes drove them from it) to have disobeyed and contemned the authority of the House, (for not having submitted their allegiance to that authority) to have neglected the trust reposed in them (for staying no longer where they could not with freedom discharge it) & to have by practices and hostility endeavoured to destroy both Parliament and people, (for having assisted his Majesty, and defended his person against an Army raysted and fighting against him) his Majesty would have beene very well contented if the Houses should then judge so, that they should have been finally expelled, and that the people might enjoy their interest and freedom of choice and election, when it should have been justly devolved to them. But by their declining of this course it is evident that they well know, in such a full and free meeting, who would appear by most voyces to be the innocent, and who the guilty, who the deserters and who the drivers, and that then and there they would as little be able to justify their own votes, as to condemn these persons: and therefore having by force got sole possession of the place are wisely resolved to admit none to judge there of what is Law, but only such of the major part of whose judgements they are secure, as having been made instruments to violate it. To his Majesties demand of security from such tumults as formerly awed the Houses, they only answer; That what is said of awing the Members is a high and dangerous aspersiō raised without doubt to invalide the Acts and proceedings of Parliament, but to the known particulars urged by his Majesty they are wholly silent; and neither deny such tumultuous assemblies to have been, nor the Lords to have twice in vain complained of them, and desired the House of Commons to join with them in a Declaration against them; nor can they deny but the Lords added this Reason, *Left such Assemblies might be derogatory from the good Acts made and to be made in this Parliament*: all which Acts nevertheless that House undoubtedly did not intend to invalide, either by that desire or by that reason. Nor can any man, that hath seen what protestations his Majesty hath taken, (all which he doth now again renew) for maintaining of the Lawes consented to by his Majesty this Parliament, but sufficiently free his Majesty from the aspersiō of having rais'd this to invalide those. But if they meane, by their proceedings, the votes, orders, ordinances and declarations, wherewith they have almost daily oppressed his subjects, and defamed his Majesty since those tumults; if they meane the countenance they have given by personall contributions, by oaths, by commissions of Generallship, and the like to the present rebellion raised against Him: He then confesseth, nor that he rais'd this aspersiō, but that he declared this truth, as an argument of the more evident invalidity of their present proceedings, which those

tumults, (and apprehensions of the like, and of an army now in the City to boot) rather than the inclination of both Houses, may appear to have produced. And this appears to be no lesse then Opinion too, by their being so infinitely unwilling to suffer the Members to meet in so secure a manner, that they may be hindred by no awe from declaring to all the world, whether they were awed before or no; and thence the world may judge of these mens aversion from all agreement, when in order to so blessed a thing as peace, they refuse so just a demand as security.

They next object against adjourning twenty miles from *London*, and in the first place they object against it, That in making that a condition of disbanding to which by Law they are not bound to consent, His Majesty requires a new Law by Arms; in which they are wholly deceived, for his Majesty never made it a condition; to have security for Himselfe and both Houses from tumults (which they cannot deny to have beene, and against which notwithstanding they doe not offer any other kind of security) His Majesty did demand as a condition, (and security is undoubtedly his Majesties due by Law) but the adjournment was onely express'd as that which his Majesty only conceived to be the onely security; not but if they could find a better or by another way, his Majesty would as readily approve of it. But his Majesty appeals to the world, whether his Majesty ought to have done lesse for his safety & that of the Members, and the freedome of their votes, then to demand security against tumults: whether he could do more for peace, then to be ready to accept any sufficient security that they should offer, and withall to bee industrious to find out a fit means for that security himselfe, and to propose it in so large a manner to them, as to leave them to chuse their owne place out of all the rest of *England*; and whether on the other side, they could doe lesse toward either, then not to grant the security, when they cannot deny the danger, and not only not to seeke after and offer at any one way that might secure, but so absolutely to refuse that reasonable way of security which is offered to them; whether the inconvenience of removing Records twenty miles, ought to be in any ballance with the miseries of a War; whether the avoiding of this (but tacite) confession of that truth, (which they call a scandall, but can never prove one) that his Majesty was forced for His safety to withdraw from his Parliament, (of which the army raised without his consent, to bring in triumph to the House Persons accused of high treason by Him, were alone a sufficient testimony) and that the Members were awed (when their names were sometimes demanded, and sometimes posted, their person laid hands on, and the tumultuous multitude neither punish't nor discountenanc't so much as by a Declaration;) whether the feare lest *London* (in which and by a part of which all this was done) should seeme to suffer under a Charge: And lastly, whether the Doubt lest in any place out of *London* his Majesty should again come to the House of Commons with armed men, (upon what appearance of Right, after what orders against his known Right, and with how little either intention, offer or colour of violence. He came thither having been showed before,) can appeare a sufficient

reason

reason for their resolution against such an adjournment, in order to the publique peace: And whether, although there were no necessity of it but his Majesties desire, (who out of compliance with them hath put the absolute power out of his owne hands, not only of adjourning the Parliament Whither, but of dissolving it When He pleased) it might not seeme no unreasonable request after so large a Grant.

Their third part is to prove his Majesties aversion to peace by severall circumstances. The first is his having denied to receive their petitions, which his Majesty never did, for if they mean (which was all he ever did towards any refusall) his refusing to receive any from or by any person accused of high treason by him, (when they had other and more direct waies of sending to him, as they had then by the Earle of *Essex*, if they had not gone out of their way out of desire to have it refused.) They may as well say, He hath refused all that have ever since come to him from them, for he continued alwaies to make that exception: and if their hope of present and totall victory, had not made them insist upon that before *Edgehill*, which they quitted after, the Petition, offered to have beene sent from my Lord of *Essex* from the head of his army, had been then received too by any other kind of hand; though if his Majesty were rightly informed of the contents of that petition, neither their offer of such a petition could show any inclination to peace in them, nor could his absolute refusall have showed any aversion to it in his Majesty.

The second is, That their Committee must not, without a speciall safe Conduct and protection from Him, have Access to Him, a Liberty incident to them not only as Members of the Parliament, and employed by both Houses, but as they were freeborne Subjects. To this His Majesty replies, That He never denied their Committee to have access to Him without a safe Conduct; nor did He ever so much as mention any to them. The first motion concerning a safe Conduct, was in a letter from the Lord *Grey* of *Wark* Speaker *pro tempore* of the Lords House, to either of His Majesties Secretaries, dated the third of *November*, 1642. desiring one for that Committee, which after attended His Majesty at *Colebrooke*; and the same was again desired for the Committee appointed to treat at *Oxford*, by a letter from the Earle of *Manchester* Speaker of the same House to the Lord *Faulkland*, dated the 28. of *February*. And must it not seeme strange to all the World, that His Majesties granting of that which both Houses in order to the Treaty askt of Him, should be after charged upon Him as a provocation laid in the way to interrupt or break off the Treaty? And since indoutedly (and that reasonably) it would have been interpreted aversion in His Majesty from peace, if He had denied this when it was askt; His condition was very hard, when, it seems, He could not either way have avoided this imputation, whether He had denied or granted it. But His Majesty desires His Subjects to consider the great difference between what His Majesty hath cause to complain of, and what they doe. Mr. *Alexander Hamper* employed

by His Majesty with an Olive branch a Message for peace directed to both Houses, inclo'd in a letter to the Speaker of the Lords House, having His Majesties passe, testifying that he was so employed, having delivered this Message to the Lords House, and that House having received it as a gracious Message, is committed by the house of Commons (notwithstanding the liberty of access laid to be incident to all free-borne Subjects) for not having a safe Conduct from their Generall, upon pretence of an Order of that House but lately made, and never past the Lords, nor publisht by themselves; and notwithstanding that the Lords at a Conference desired the Messengers release, upon the foresaid reasons, and that he was sent to them, and that their owne Messengers had divers times of late gone to Oxford in the same manner, and none of His Majesties had come otherwise, yet the only answer returned was, *That they would stand to their owne order.* Upon which His Majesty cannot but observe, First, that how great authority soever both Houses expect to have with His Majesty, yet one House hath but a little with the other. Secondly, That the priviledge of that House is as little considered as their intercession, since undoubtedly, if the Lords (who in many cases have power to commit, which the House of Commons hath not over more then their own Members, in any case but of breach of priviledge) had committed a Messenger sent to the House of Commons (especially from any to whose Messengers they paid halfe that respect which they owe to His Majesties) upon an order only of their owne House, and having committed him without their Consents, should not release him at their desire, it would have been lookt upon by them as no lesse a breach of Priviledge, then His Majesties coming to their house. Thirdly, That by this His Majesty hopes that the violent party doth now see better times are not far off, since He is told by this very Declaration, *That evil Spirits doe then rage most, when they thinke they must be cast out.*

The grounds of their Third and Fourth (for such as have been taken notice of by the by, and replied to before, need not to be repeated) are these. During the Treaty two Proclamations issued at Oxford against Associations, and raising of Forces and Taxes by virtue of Ordinances, in which His Majesty charges a Traiterous and Rebellious Army of Brownists, Anabaptists, and Atheists (but not both Houses, as, for want of being charged, they charge themselves) to endeavour to take away His Life, and the Religion and Lawes of the Kingdome. And some letters were intercepted, by which, they say, it probably appears to them, that His Majesty had then designs upon *Killingworth, Scarborough, and Brisfol.* But His Majesty thinks it strange that it should be expected, That this Treaty should have so much influence on one side, and so little on the other, that during the Treaty, taxes may be illegally laid and levied, and His Majesty may not legally forbid them; That Souldiers of the Earle of *Essex* his Army daily raile against Episcopacy, break into Churches, pull downe Organs and Monuments, tear Surplices and Common-Prayer Bookes, and His Majesty may not call them Brownists; That that Army may

may goe on daily during the Treaty in overt acts of Rebellion and Treason, and it must be an interruption of the Treaty in His Majesty to call them Rebels and Traitors; That He may not say they endeavour to take His Life, who hath shot at Him as often as He hath come within Cannon shot of them; And that the Treaty should not oblige them from taking any Towne or Castle of His Majesties from Him, and yet His Majesty be obliged by it neither to regaine any of His Townes, or receive any of His owne Castles; That Sir *William Waller* may really take *Malmesbury* and *Tewsbury*, and His Majesty must not so much as thinke of *Scarborough* or *Bristol*; upon which City as His Majesty doth avow to have had a Designe to recover it from the Rebels, so He absolutely denies it to have been either bloody or barbarous, Epithites which they are pleased to give it, but for what reason he cannot imagine, His Majesty abhorring all thought of what is printed at London, That it was intended man woman, and childe, should have been all killed in that Town, that had not such a Word, or wore not such a Ribband: Though some word or marke might well be agreed on, not with intention to kill all that had it not, but that more particular care might be taken of their protection that had it, not onely from all danger but from all dispect. But the execution upon cold blood of some of the principall Citizens of that City for their loyalty to His Majesty upon a single Order, without the least colour of any legall proceedings, will appear to all men most barbarous and bloody, and such a murder as His Majesty must not leave unrevenged, nor can His Subjects looke upon otherwise, then as purposely now committed to make peace yet more impossible, and as an earnest of that intolerable Arbitrary Government, which they must alwaies expect to suffer under, if that violent party should prevale.

Since therefore, notwithstanding these frivolous objections, His Majesties Desire of Peace (by his earnestnesse for it both before, and during, and after the Treaty) doth so full appeare; and since their inclination to the contrary (by their most earnest and utmost endeavours to hinder both the beginning, continuance, and renewing of the Treaty) is no lesse evident; since in the Treaty His Majesties main aime was the immediate disbanding of the Armies, and that differences might be debated in a full and free Convention in Parliament, and that to that end the Parliament might be restored to the naturall and genuine Condition, and all things onely restored into that state wherein they were when the Houses were full and free; since His Majesty askt nothing that they could deny to be due to Him by Law, and His Majesty denied nothing that themselves could claime by Law to belong to them, nor any one thing of that publick necessity or value as deserves the shedding of one drop of that Sea of blood which will be spent in this unnaturall Quarrell; since His Majesty made the last most reasonable Proposition, and they will never suffer it to be granted nor debated, and three Messiges of His Majesties cannot obtaine one Answer, His Majesty hopes that the Scales will now fall from the eyes of His most blindly seduced Subjects, and they will now be able to discern both their

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Duty and their Interest by so clear a Light; that it will be no longer in the power of this violent party, to ingage them to be Wicked that they may be Miserable, and by opposing Justice to destroy Peace. And His Majesty doth most earnestly conjure those, whose fault hath hitherto proceeded rather from want of heat, than want of light, who out of too much care of their private safety have been either lookers on, or have at once dislik'd and countenanc'd these Courses, that they at last rouse up their Courage to take part with their Conscience, and fear to be damned more then to be Plundred, and consider that if they will desert and oppose that party whom their Tameness only makes considerable, and unite themselves with but halfe that Industry to defend His Majesty, and the Religion and Law establish'd, which the others use to destroy them all, they may avoid the One, and be in no danger of the Other, their numbers being such, that if they once but knew one another, by merely joyning to appear to think as they do, they might speedily end this (truly styled by them) the worst kind of War, both as it is of English against English, and of Subjects against their Prince. But if they shall still suffer themselves to be carried away with the Stream, they will by that suffer the Power of the violent Party to take so deep a root (by being seized of all the Arms, Ships, and strong places of the Kingdom) that if they should happen to prevail in this War against His Majesty, they will (in despite not only of Them, but of their present Rulers, if they should be willing to divert them) extirpate the Law, Root and Branch, alter the whole frame of Government, introduce Democracy, Independance and Parity, and leave neither King, Church nor Gentleman: and (besides that they will then appear to themselves guilty of this intollerable innovation, which they have not timeiy enough opposed) this Party will then forget that they did not oppose them at all, and remember that they did assist them but a little, will distinguish between those who assisted them out of zeal and out of fear, and who are now call'd moderate, they will then call malignant, and the Inequality, Injustice & Oppression then they wil then indure, will too late discover to them to their Costs, That they have undone themselves with too much Discretion, and obtain'd nothing by their unjustifiable cautious Compliance but to be destroyed last.

FINIS.